

Docket No. 1758-4036US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)

MINETTI, C. et al.

Serial No

09/120,044

Art Unit

1645

Filed

July 21, 1998

Examiner

22 149 10-24-w

For:

MODIFIED IMMUNOGENIC PNEUMOLYSIN

COMPOSITIONS AS VACCINES

NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Box AF COMMISSIONER FOR PATENTS Washington, D.C. 20231

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the __ of the Primary Examiner. decision(s) dated July 28, 2000 The item(s) checked below are appropriate: 1. Appeal Fee (for other than Small Entity)\$310.00 [X] 2. [] Statement of "Small Entity" status under 37 CFR §1.27, filed 3. [] Fee enclosed 4. [] Fee not required (Fee paid in prior appeal) 5. [X] Charge Fee to Deposit Account No. 13-4500. Order No. 1758-4036US2 A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

10/20/2000 CNGUYEN 00000060 134500 09120044

01 FC:119

310.00 CH

576804_1 -

Docket No. <u>1758-4036US2</u>

6. [X] The Assistant Commissioner is hereby authorized to charge any additional fees which may be required by the paper, or credit any overpayment to Deposit Account No. 13-4500. Order No. 1758-4036US2. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

By: Dams H Stemoma
Darryl H. Steensma

Registration No. 43,155

Dated: October 16, 2000

CORRESPONDENCE ADDRESS:

MORGAN & FINNEGAN, L.L.P. 345 Park Avenue New York, New York 10154 (212) 758-4800 (212) 751-6849 Facsimile

FORM: NOAPPEAL.NY Rev. 10/01/00